

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6351

BILL NUMBER: SB 101

NOTE PREPARED: Nov 26, 2003

BILL AMENDED:

SUBJECT: Penalties for Class D Infractions.

FIRST AUTHOR: Sen. Craycraft

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that \$5 of each penalty imposed by a court for a Class D infraction must be deposited in the general fund of the city, town, or county in which the court has jurisdiction.

Effective Date: July 1, 2004.

Explanation of State Expenditures: Of the six Class D infractions currently in statute, only the seatbelt/child restraint violations have generated significant revenue in recent years. In 2001, there were 3,760 child restraint citations and 114,162 seat belt citations resulting in findings of guilt. Assuming that each verdict resulted in a \$25 judgement, the state would receive \$2,948,050. If the political subdivisions entering the judgements instead retained \$5 as required under the bill, the state would receive \$2,358,440, a difference of \$589,610.

Background Information: The six Class D infractions in statute concern child restraints in vehicles, front seat passenger use of seatbelts, hunters wearing hunter orange, posting permits for construction in flood plain, and smoke detectors in dwellings. Revenues to the state from all infractions totaled \$10,633,674 in FY 2003. Revenues from each class of infraction are not separately identified in the state accounting system.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: Additional revenue to local units will vary depending on the disposition

of Class D infraction violations. Based on 2002 data, under the bill, an additional \$589,610 would be deposited into county, city, or town general funds statewide based on judgements of the presiding courts.

State Agencies Affected:

Local Agencies Affected: Counties, cities, and towns.

Information Sources: Auditor's Trial Balance, June 30, 2002.

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